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5 Counsel for Defendant MAROTA  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-08 - 0406 MMC
	)	
12 Plaintiff,	)	<b>DEFENDANT'S SENTENCING</b>
	)	<b>MEMORANDUM</b>
13 vs.	)	
	)	
14 OLIVER IVAN MAROTA,	)	
	)	
15 Defendant.	)	
	)	

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17 The defendant Oliver Marota is scheduled to appear before this Court on July 23, 2008  
18 for the entry of a plea and sentencing pursuant to the Court's fast track program for illegal reentry  
19 cases. The Probation Office has prepared a criminal history calculation for Mr. Marota, and has  
20 determined that his Criminal History Category is III. The defendant agrees with this calculation.  
21 Insofar as the parties have agreed that Mr. Marota's final offense level is 13, his guideline range  
22 is 18-24 months. The parties have further agreed as part of the plea agreement that Mr. Marota  
23 should be sentenced to the low end of the guideline range, which in this case is 18 months.

24 The defendant respectfully asks the Court to accept the plea agreement and sentence the  
25 defendant to 18 months in custody, with the additional conditions that are set forth in paragraph  
26 eight of the plea agreement, to wit, a special assessment of \$100 and three years of supervised

1 release (which includes a special condition that the defendant not reenter the United States  
2 illegally). The defendant is unable to pay a fine, and as a result he asks that no fine be imposed  
3 in this matter.

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5 Dated: July 17, 2008

6 Respectfully submitted,

7 BARRY J. PORTMAN  
8 Federal Public Defender

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10 GEOFFREY A. HANSEN  
11 Chief Assistant Federal Public Defender  
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